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20 MAR 2008

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NOVOZYMES NORTH AMERICA, INC.
500 FIFTH AVENUE
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In re Application of :
SEGURA, Dorotea Raventos et al. :
Application No.: 10/560,260 :
PCT No.: PCT/DK2004/000400 :
Int. Filing Date: 10 June 2004 :
Priority Date: 11 June 2003 :
Attorney Docket No.: 10328.204-US :
For: ANTIMICROBIAL PEPTIDES :

DECISION ON

PETITION

UNDER 37 CFR 1.181

This decision is in response to applicant's "Response To Notice To Comply With Sequence Requirements," filed on 24 January 2008.

BACKGROUND

On 09 December 2005, applicant filed international application PCT/DK2004/000400. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 10 June 2004. The deadline for entry into the national stage in the United States was thirty months from the priority date, 11 December 2005.

On 09 December 2005, applicants filed a transmittal letter for entry into the national phase in the United States, accompanied by the basic national fee and a declaration of the inventors.

On 09 March 2006, the Office mailed Notification to Comply With Requirements For Patent Applications Containing Nucleotide And/Or Amino Acid Sequence Disclosures (PCT/DO/EO/922).

On 08 May 2006, applicants supplied a new sequence listing.

On 18 January 2008, the Office mailed a Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to timely reply to the Notification mailed 09 March 2006.

On 24 January 2008, applicants filed this petition to withdraw the holding of abandonment.

On 14 March 2008, the Office mailed a Notification of Acceptance indicating that the application had a 35 USC 371(c)(1), (c)(2) and (c)(4) date of 09 December 2005 and a Withdrawal of the Notification of Abandonment mailed 18 January 2008.

DISCUSSION

The petition to withdraw the holding of abandonment is moot. The Notification of Abandonment mailed 18 January 2008, issued in error and has been withdrawn.

CONCLUSION

For the reasons set forth above, the petition under 37 CFR 1.181 is **DISMISSED AS MOOT**.

The Notification of Acceptance (Form PCT/DO/EO/903) mailed 14 March 2008 is **VACATED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further processing in accordance with this decision, including mailing of a corrected Notification of Acceptance. The application has a 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) date and an all 35 USC 371 requirements date of 09 December 2005.

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